SOME REFLECTIONS ON A MODEL NOW IN Projection BY THE Presbyterian Dissenters.

WITH A

CIRCULAR LETTER

Intimating It.

Anon

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REFLECTIONS

ON

Projectiles,

AND

CIRCULAR LETTER

The Circulary Letter.

Newbery, *June* 7. 98.

For Mr. *S.* Miniſter of the Goſpel in *Oxford.*

Reverend Sir,

I *Had a Letter laſt Week by the Direction of the* Committee *of* Miniſters *and* Gentlemen, *appointed at* London *for ſetling a Correſpondence of the Proteſtant Diſſenting Miniſters and Congregations throughout this Kingdom; for the Advancement of the Intereſt of Religion, and Reformation of Manners; with the Articles there agreed upon in order thereunto; and I deſire you, Communicate them ſpeedily to the Brethren in theſe Parts: And if poſſible, a General Meeting muſt be had this Summer in* London.

Purſuant thereunto, it is deſired that you would not fail to come your ſelf, and bring with you one Prudent Perſon of your Congregation, Choſen for that End, according to the Method reſolved on at London, *to meet ſeveral of the Brethren, and the Members of their reſpective Congregations here at* Newbery, *on* Wedneſday *the* 22 *Inſtant, to conſider of the ſaid Propoſals; which ſhall be laid before you, and the proper Method to Attain ſo deſirable an End.*

You

You are desired to be here on Tuesday *in the Evening that we may enter on our Work on* Wednesday *Morning, Resolving God willing, to spend some time in Prayer before we begin. I am*

SIR,

Your Affectionate Brother and Servant in the Lord,

W. T.

SIR,

SIR,

ON the Receipt of yours, I laboured to get the fulleſt Account of that *Project*; which in a *Circular Letter*, directed to another of your Name, fell by Chance into your Hands: But by all the Intereſt I can make with that ſort of Men, I find it impoſſible for me to penetrate into the Bottom of the Contrivance; or inform my ſelf from what Spring it had its Riſe; and therefore muſt be Content with the Light your Paper gives me of it; only I muſt confeſs, that whatever may be hereafter Attempted, I am of Opinion, that at preſent it is but in *Propoſition* and *Deſign*.

But, tho neceſſitated to this Brevity about your *Enquiry*, I will be more large in ſhewing the *Illegality* of their *Model*: And to this End, I will, as a Foundation of what I have to ſay, ſet down the *Project*; and give my Reaſons why I judge it to be *Illegal*, and *Unſafe* for them to Ripen it into *Act*.

The Project, if I take you right, is as follows: 1. There are to be Leſſer Meetings of their Miniſters; and one or two Lay-Elders of every Congregation within a certain *Diſtrict* every Three Months: That is (as I underſtand it, and I think with good Reaſon) there muſt be *Claſſical Aſſemblies* every three Months.

2. These Lesser Assemblies, or *Classes*, are to choose one Minister, and *two* other *Discreet Persons* or Lay-Elders of their Number, to manage a Correspondence either with the Larger Meetings in the Country, or the General Assembly in *London*.

3. That there be an Union of several *Districts* or *Classes* in one *Larger Meeting* once every Six Months, where the Ministers and Lay-Elders of the said *Classes* shall meet, either in Person, or by their *Representatives*, called by 'em *Delegates*.

4. That this Assembly do Appoint *One Person* to manage the Correspondence, (i. e.) as I conceive, a *Preses*; who in Vacancy of this *Provincial Council*, is in Conjunction with other *Presidents*; and the *General Committee* in *London*, to maintain the Correspondence for the better Government of their *Church*.

5. The *Larger* or *Provincial Assemblies* shall send one Minister, and one Lay-Elder as their *Delegates*, to a General Meeting to be held once a Year in *London*, or oftner if Occasion (not the King) requireth it.

6. That these *Delegates* bring with them Testimonials of their *Delegations*.

7. That the Ministers do carefully observe, and faithfully relate to the *Provincial*, and *National Assemblies* the State of their Congregations *respectively*.

8. That the whole be *digested* into a *Method*, and Recorded in a Register.

This

This is I think, a true and impartial Account of their *New-Model*, which is no more nor less than a *National Church-form*, wanting nothing that is Essential thereunto: For 1. The *Design* is the settlement of Matters Ecclesiastical, according to their own *Methods* and *Rules*. 2. They have *Ordained* that there be *Ecclesiastical*, *Provincial*, and *National Assemblies*, answerable to the *Diocesan*, *Provincial*, and *National Convocations*. 3. Their *Power* is stretched unto the utmost Parts of the Kingdom, taking in every one that will submit unto them; which is the most our Church can do during the *Suspension* of *Penal Laws*. 4. They have appointed *stated Assemblies*, *Provincial*, and *National*, to be held without the *King's Writ of Summons*, who are to agree on *Rules* for *Church Government* without a *Commission* from the *King*, and send them forth tho' not *confirmed* by the *King's Letters Patents*, which our Church cannot do, without incurring Grievous Penalties; They assume to themselves an unlimited Power, and want only the Formality of a Law to give to their *General Meetings* the Names of *Magna servorum Dei Frequentia*, and *Church-Gemote*, as also that of *Convocation*, or *Synodical Convention*.

The next thing of which I'll give you a View, is the *Reasons* proving the *Illegality* of this *National-Church-Form*, and the *Danger* of putting it into *Act*, or *Execution*.

First then, it's well known to the Learned in our Laws, That *none* of his Majesty's *Liege People* of what denomination soever may Assemble to *Entreat* of Matters *Ecclesiastical* for the Reformation of Manners, *as in the Case before us*, unless called by the King's Writ; nor may they without the *Royal Assent* entreat of, or make any *Constitutions*, *Rules*, or *Canons* by what *Name* or *Names* soever they are called, nor can they Promulge, or Execute them when made, until *confirm'd by Letters Patents* under the *Great-Seal* without incurring the Penalty of 25 *H.* 8. *c.* 19. whereby 'tis Enacted, That none shall promulge, or execute any Canons, Constitutions, or Ordinances Provincial by whatsoever Name or Names they may be called in time coming which shall be assembled by Authority of the King's Writ, unless the same Clergy may have the King's most Royal Assent to make, promulge, and execute such Canons Provincial, or Synodal, upon pain of every one doing contrary to this Act, and being thereof Convict, to suffer Imprisonment, and make Fine at the King's will.

The *Crime* is manifest, and so is the *Penalty*; so that in case the *Dissenting Ministers* shall have their Assemblies, whether *Classical*, *Provincial*, or *National*, and entreat of, make, promulge, or put in Execution any *Canons*, *Constitutions*, or *Rules*, by what *Name* or *Names* soever they are called: Or, if there hath been an Assembly, whether of Twenty Four of their Clergy alone, or part *Clergy*, part *Lay-Elders*, who have formed, promulged, and put in Execution divers

divers Rules about Matters Eccleſiaſtical, in either of theſe Caſes they fall within the Words of this Act, and are lyable to the *Pains* of *Impriſonment*, and of *making Fine at the King's Will.*

Secondly, If theſe Men ſhall at any time preſume to make, or put in Execution any *Cannons* or *Rules* about *Claſſical*, *Provincial*, or *National* Aſſemblies, ſuch Rules are not only againſt the *King's Prerogative*, but *Contrariant*, and *Repugnant* to the *Laws* and *Statutes* of *this Realm*; and the Pain no leſs than a *Premunire.*

In 25 *H.* 8. *cap.* 19. there is a *Proviſo* againſt all ſuch Conſtitutions, Cannons, or Rules. It is in theſe words: Provided always, that no Cannons, Conſtitutions, or Ordinances ſhall be made, or put in Execution within this Realm, by Authority of the Convocations of the Clergy, which ſhall be Contrariant, or Repugnant to the King's Prerogative Royal, or the Cuſtoms, Laws, or Statutes of this Realm, &c.

Now if a Convocation called by the King's Writ, and enabled by the *Royal Licence* to make Cannons, may not make, nor put in Execution ſuch as are Repugnant to the *King's Prerogative*, &c. much leſs may any Aſſembly of the King's Liege People do ſo, who have neither the *King's Writ*, nor *Royal Licence*? And it's Remarkable, that 'twas the Opinion of the Learned in the Law, That had not the Aſſembly of 1640. been a *Convocation*, the Cannons then made, would have been (according to the

Vote

Vote of the enſuing Parliament) *againſt the Fundamental Laws of the Realm*; and againſt the *King's Prerogative*; whereby they would have juſtly incurred a *Premunire*.

The Laws of this Land are ſo Tender in this Point, that about Church-Matters they'll not admit of the leaſt *Uſurpation*, or *Incroachment* on the *King's Prerogative*: For inſtance, If the King by his *Letters Patents* ſhould appoint one to be a Biſhop, and limit the *Dean* and *Chapter* to Chooſe, and the *Arch-Biſhop* to Conſecrate him within Twenty Days, and they Act contrary to this *Limitation*, they do thereby run into the Dangers, Pains and Penalties of the Statute of *Proviſors*, and *Premunire* made in 25 *E.* 3. *cap.* 1. and 16 *R.* 2. *cap.* 5. Ay, and their Aiders, Counſellers, and Abettors, incur the ſame Puniſhment by 25 *H.* 8. *cap.* 20.

Theſe Gentlemen then, ſhould they promulge, or put in Execution any Rules contrariant to the King's Prerogative; the Incroachment hereby made upon it, is much greater than what is done in the Caſe aforeſaid, and the Penalties not leſs: And it's certain, that all Rules made for the Calling of *Provincial* or *National* Aſſemblies, without the *King's Writ*, is to the *Diſheriſon* of the Crown. And they, their *Aiders*, *Counſellors*, and *Abettors*, cannot eſcape a *Premunire*.

Beſides,

Besides, the appointing *Classical*, *Provincial*, and *National Assemblies* about *Church-Matters*, is not only a Blow at the *King's Prerogative*, but at the *Customs*, *Laws*, and *Statutes* of this *Realm*: For whatever is against the *Prerogative Royal*, hath been always deemed to be *contrariant* to the *Common Law* of the *Land*, as what is contrary to *Common Law* is also against God's Law. Ley d'Angleter est found'n sur le Ley de Dieu. And Ley de Ele, e Ley de Dieu sont tout un. *The Law of* England *is founded upon the Law of God.* And, *The Law of the Land, and the Law of God are all one:* And consequently, Incroachments on the *King's Prerogative*, are not only to the prejudice and disherison of the *King* and of his *Crown*, but to the *disherison* of all his *Subjects*, and to the *undoing*, and *destruction* of the *Common Law* of this *Realm*; as may be seen in the Preamble of the Statute of 27 *E.* 3. *cap.* 1. Furthermore,

Rules about *Classical*, *Provincial*, and *National Assemblies* as to *Matters Ecclesiastical*, are not only *consequentially*, but *directly* against the Laws of the Land, as they are contrary to the *Rubricks* and *Canons*; and those Statutes which have confirm'd and establish'd them.

That *Rules* about *Classical*, *Provincial*, and *National Assemblies*, are against the Cannons of 1603. is too obvious and plain to be denied: And my Lord Chief Justice *Vaughan* avers, *That if Cannon Law be made*

made part of the Law of this Land, then is it so much the Law of the Land, and as well, and by the same Authority as any other part of the Law of the Land. Edes & Walt. Bishop of *Oxford's* Case. And *whatever is the Law of the Kingdom, is as much the Law as any thing else that is so; for what is Law doth not,* suscipere magis aut minus, *Hill & Good's.*

And the Cannons of 1603. are Established by 25 *H.* 8. *cap.* 18. For the *Convocation* in which they were made, was called by the *King's Writ*, and enabled by the King's Commission to entreat, make, and promulge Cannons and Constitutions which were confirmed by *Letters Patents* under the Great Seal. Besides, Cannons for the setting up Assemblies, *&c.* are directly *contrariant*, and *repugnant* unto the *Act* of *Uniformity*, by which the Government of our Church is Established: So that should these Gentlemen make any such *Cannons* or *Rules*, 'twill be impossible for them to Escape a *Premunire*. They must not think to come off by telling us, They design not to intermeddle with the *National Church-Form*; nor to set up an *Ecclesiastical Jurisdiction*, but only a *Brotherly*, and *amicable Correspondence*: That they use not the Terms *Classical*, *Provincial*, or *National*: Nor do they impose any Cannons or Constitutions upon their Brethren: They do but send them their Proposals or Methods for Regulating their Correspondencies. To which 'tis answered:

1. That

1. That this is but *Proteſtatio, facto contrario*, it being evident they deſign the Regulating ſuch Matters as are of *Eccleſiaſtical Conuſance*, as the advancing *Religion, Unity*, and *Love*, and the Reformation of Manners are.

2. The Project propoſed is a *National Church-form*. For in it are Cannons appointing ſtated Times for their ſeveral Aſſemblies, and ordaining, that they ſhall be made up of Miniſters and Lay-Elders; and that they ſhall be of three diſtinct ſorts, as the Eſtabliſhed Aſſemblies are; ſo that tho' they uſe not the Terms *Claſſical*, *Provincial*, and *National*; yet they ſecure the Thing.

3. Tho' they do carefully lay aſide the word *Claſſical*, leſt by its uſe they ſhould frighten us, before they have maturated what is now in deſign; yet have they ſelected other Terms, importing *Juriſdiction* in uſing the word *Diſtricts*, into which they have diſtributed their ſeveral Congregations. For *Diſtrictus eſt Tractus, in quo Dominus Vaſallos, & Tenentes ſuos diſtringere poteſt: Juſtitiæ exercendæ in eo tractu facultas.* Whence it is *lib. 2. Teudor. Tit. 54. Qui allodium vendiderit diſtrictum & Juriſdictionem Imperatoris vendere non præſumat.* Beſides, the Clergy have adopted it, and Pope *Boniface* in his Bull *anno* 1033. has Conſecrated it, *Maneantque ſub Judicio, & Diſtrictu veſtro.* Agreeably hereunto the leſſer, and larger *Diſtricts* are to ſend unto the *General Aſ-*

ſembly in London their *Delegates*, to whom they give in their Teſtimonials, or *Dedimus poteſtatem*, or *Commiſſion*. For *Delegatus is dicitur*, which for the moſt part in the underſtanding of the Common Law, is as much as *Delegatio* with the Civilians. For *Delegatus is dicitur, cui Cauſa committitur terminanda, vel exequenda vices delegantis repræſentans, & in Juriſdictione nihil proprium habens*: The reaſon is, becauſe *Delegatus Juriſdictionem non ſuo Jure, ſed alieno beneficio habet*. They have alſo their Committees, that is, Perſons to whom the conſideration, and ordering their Church Matters is committed, which is uſual in Convocations as well as Parliaments: And their National Aſſembly they call *General Committee*, perhaps to tell us they'll imitate their Neighbours, and be as Parliamentary in their Proceedings as may be; and to this end, Reſolve their Aſſembly into a Committee of the whole Houſe: In a word, they have alſo a *Regiſter*, that is, *Books*, or *Rolls*, wherein are Recorded the Proceedings of their *Spiritual Court*.

4. Tho' they call not their Propoſals by the Names of *Conſtitutions*, *Cannons*, or *Ordinances*, yet are they of the ſame Nature; and being deſigned for the regulating Matters of Eccleſiaſtical Conuſance, they are within 25 *H.* 8. *cap.* 19. And it's well known, that when ſeveral Pariſh Miniſters of the Puritan way, had in the Reign of the Queen, their Aſſemblies at *Wadſworth*, *London*, *Oxford*, *Northamptonſhire*, and

and other Places, tho' with a Proteſtation, 'twas only in *Subordination*, and not in *Oppoſition* to the *Eſtabliſhed Government*; and tho' they acted with much greater Caution than theſe Gentlemen, (if they go on with their Project) do, yet could they not eſcape *Impriſonment* and *Ruine*: And it muſt be confeſſed, that the Methods taken by the Popes to get their Decrees received by the Engliſh Church, was by Cloathing 'em under ſoft Names, and modeſt Terms, ſuch as *Rogationes*; which they intreated us for the promoting of Holineſs to ſubmit unto.

Once more, the Statutes of Proviſors are ſo ſtrictly penned againſt Offenders, that the laying aſide the Common Terms in uſe amongſt Eccleſiaſticks, and taking up new ones, cannot Skreen them from the Pains and Dangers of a *Præmunire*. For they do extend, not only to Uſurpations and Incroachments made on the Royal Power by *Papiſts*, but to all Perſons whatſoever (as my Lord *Cook* ſaith) of what Quality or Sex ſoever; The words be, *If any*.

2. To all Courts of what Juriſdiction ſoever, or whether holden by *Right*, or by *Wrong*; the word *alibi*, is of a large Extent, ſo large you ſee, as to take in theſe Gentlemens ſtated Aſſemblies for Reformation of Abuſes, *&c.*

3. To all Things whatſoever, *Where any thing*; which words are as general as can be, *&c.*

3. There

3. There are ſome Circumſtances affecting the *Convocation* of 1640. which may juſtly frighten theſe Gentlemen from having any hand in ſuch a Project: For it's certain that this Convocation was called by the *King's Writ*; That as ſoon as they aſſembled, the Archbiſhop produced a *Commiſſion* under the *Great Seal*, by Authority whereof they might, according to 25 *H.* 8. *cap.* 19. *propoſe*, *entreat*, *conſult*, and *agree* on what *Orders*, *Cannons*, or *Conſtitutions* they ſhould judge meet, keeping within the Limitations of the ſaid Statute: And when they had Enacted their Cannons, and had the Royal Confirmation by *Letters Patents* under the *Great Seal*, yet were they Voted by the Houſe of Commons in the following Parliament, to be *againſt the Fundamental Laws of the Realm*, *againſt the King's Prerogative*, *Property of the Subject*, *the Right of Parliament*, *and to tend to Faction and Sedition.*

The Reaſons of this Vote were many, ſome of which were: 1. That upon the Diſſolution of the Parliament the Convocation was determined; and what Cannons or Rules ſoever are made in an Aſſembly not Called by the *King's Writ*, are againſt the Prerogative Royal, and ſuch are the *Claſſical*, *Provincial*, and *National Meetings* of theſe Diſſenters.

2. The Cannons then enacted were againſt ſome *Rubricks* in the Service Book, and contrary unto ſome of the XXXIX Articles, which is as true of thoſe Rules

Rules in the Diſſenters Project: For contrary to the Eſtabliſhed Government by *Biſhops*, *Archbiſhops*, &c. They have ſet up a National Church Government by *Miniſters*, and *Lay-Elders* in their various Meetings, *ut ſupra.*

This brief Account may ſhew them what appearance of Law this Convocation of 1640. and the Cannons then made, had: And yet for the Reaſons aforeſaid, the Clergy who acted therein, did then, as was Voted by that Parliament (we may call *Whiggiſh*) fall into the Pains and Dangers of a *Præmunire*, as is to this Day the Opinion of our Learned and Reverend Judges, and other great Lawyers in *Weſtminſter-hall.*

How much rather then may they be ſuppoſed to incur the ſame Penalties, who ſhall come to a General Meeting that is not called by the *King's Writ*; agree on *Rules* about *Church-matters* without the *Royal Licence*; and tho' they have not *Letters Patents* under the *Great Seal* for their *Confirmation*, promulge, and execute them, ſome of which are againſt the *Rubricks*, *Articles*, and *Cannons* by Law Eſtabliſhed.

4. This Project, altho' in its *appearance*, and *trueſt Complection* doth moſt reſemble the late *National Church-form* amongſt the *French Hugonots*, which was granted them by ſundry *Edicts*, yet they were never ſo bold as to ordain, and appoint *National Aſſemblies* at any time, but when *Licenſed* by their *Kings*; and

more than seventy years by-gone, 'twas ordained by *Letters Patents*, and *verified* in the Court of *Parliament*, That in all Assemblies of the King's Subjects of the Reformed Religion, one of his Majesties Officers, being of the same Religion, should assist in Person, and see that nothing should be propounded and handled amongst them, but such Matters as were permitted by his Edicts.

The *French* Kings were so very Jealous of their Clergy lest they should incroach upon the *Regalia*, that they would never suffer them of the *Romish Faith* to come together, but when called by Authority of the King; and when assembled divers *Tituli* or *Capitula*, containing Directions how to proceed, and what to enter upon, were sent to 'em; whereupon the Clergy when assembled, did in their *Synodical Epistles*, assure their Prince, that they acted *Secundum voluntatis vestræ consultationem, & Titulos quos dedistis.*

This was not a Practice only in the *Gallican*, but long before in the Catholick Church. For *Dionysius Comes* was sent by *Constantine* to the Council at *Tyre*, *Ut Animadversor esset, & Custos Conservandæ Æquabilitatis, & Ordinis*, *Candidianus* was sent by *Theodosius* upon the same Score to the *Ephesine Synod.*

If then neither Protestant, nor Papist, nor the Modern, nor Ancient Clergy could hold a *General Assembly*, unless called by the *King's Writ*, nor enter

ter upon any Buſineſs concerning the State of the Church, without the King's Licence, and certain *Capitula*, or an *Animadverſor* of the Kings and Emperors Appointment, How is it that theſe Diſſenters, without either Summons or Licence, without an *Animadverſor* or *Capitula*, dare appoint Stated, Provincial, and National *Aſſemblies*, and frame Rules and Cannons in prejudice to the King, and his Crown, and *contrariant*, and *repugnant* to the Cuſtoms, Laws, and Statutes of this Realm?

SIR,

What I have thus briefly offer'd to prove the *Illegality* of this Project, and the *Danger* of putting what is yet but in *Deſign*, into *Act*, or *Execution*, may ſatisfie you, that the Uttermoſt the unquiet Party among the Diſſenters can do, is to Alarm the *True Sons* of our Holy Mother the Church of *England*, to take heed, That whilſt Liberty is given to the Conſciencious amongſt them, the *Licentious* be not ſuffer'd to Undermine and Subvert the *National Eſtabliſhment*, as this Project muſt needs do, if They meet not with a timely Check, by putting the ſaid Laws in Execution againſt thoſe Ill-deſigning, diſcontented Gentlemen, as ſoon as ever they ſhall be guilty of the firſt Breach, which their bare Aſſembling in order to the Ripening this Project will apparently be, and expoſe all concern'd

cern'd to the *Exemplary*, and *Merited* Punishment inflicted on such Bold Undertakers, as can Contemn the Laws, and Trample on Prerogative. Adieu.

I am Yours.

SIR,

I am Yours.

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